

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re: : Chapter 13
Tamara F. Kerns, : Case No. 10-58261
Debtor. : Judge Caldwell

DEBTOR'S OBJECTION TO PROOF OF CLAIM #8

Now comes W. Mark Jump, attorney for the debtor, and objects to claim #8 by the State of Ohio Department of Taxation, Attn: Bankruptcy Division, PO Box 530, Columbus, OH 43216-0530 in the above captioned case.

Respectfully submitted,
JUMP LEGAL GROUP

/s/ W. Mark Jump
W. Mark Jump (0062837)
2130 Arlington Avenue
Columbus, OH 43221
(614) 481-4480
Attorney for Debtor

MEMORANDUM

State of Ohio filed claim #8 on December 20, 2010. Said claim was filed as unsecured in the amount of \$6,193.62. Per the proof of claim, debtor owes \$1,564.40 for 1992 taxes along with interest and penalties for a total of \$4,826.40 and for \$587.00 plus interest and penalties for a total of \$1,367.22 for 1993 taxes.

Debtor was discharged from her prior Chapter 13 Case that was filed in 2003 (Case #03-62552). The State of Ohio was listed as a creditor and filed a proof of claim in said case. Debtor received a discharge on January 11, 2007 which discharged any obligation debtor may have had on 1992 and 1993 tax debt as set for the in creditor's claim #8 in this case.

Wherefore, Debtor respectfully requests that the State of Ohio Department of Taxation's claim disallowed in full as the debt was discharged in the debtor's prior case. Further, debtor requests that the State of Ohio Department of Taxation return the \$447.98 that has been paid on their claim, to the trustee to be paid into the Chapter 13 Plan.

Respectfully submitted,
JUMP LEGAL GROUP

/s/ W. Mark Jump
W. Mark Jump (0062837)
2130 Arlington Avenue
Columbus, OH 43221
(614) 481-4480
Attorney for Debtor

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NOTICE OF OBJECTION

W. Mark Jump, on behalf of Debtor, has filed papers with the court to Object to a Proof of Claim.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion, then on or before **thirty (30) days from the date set forth in the certificate of service for the motion**, you just file with the court a response explaining your position by mailing your response by regular U.S. Mail to Clerk of Courts, US Bankruptcy Court Southern District of Ohio, 170 North High Street, Columbus, Ohio 43215 OR your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the above date.

You must also send a copy of your response either by 1) the courts ECF System or by 2) regular U.S. Mail to W. Mark Jump, 2130 Arlington Avenue, Columbus, Ohio 43221. and to all other parties listed on the Certificate of Service included with this motion.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Debtor's Objection to Proof of Claim #8 was served upon the parties listed below this 18th day of November, 2011, electronically or by regular U.S. mail, postage pre-paid.

/s/ W. Mark Jump
W. Mark Jump (0062837)

SERVED ELECTRONICALLY:

Frank M. Pees, Chapter 13 Trustee

Office of the U.S. Trustee

SERVED VIA REGULAR U.S. MAIL:

State of Ohio Department of Taxation
Attn: Bankruptcy Division
PO Box 530
Columbus, OH 43216-0530

Tamara F Kerns
5414 Flinstone Dr
Westerville, OH 43081